

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER LEO KNIGHT,

Defendant and Appellant.

C060292

(Super. Ct. No.
CM028526)

On January 29, 2008, peace officers found defendant Christopher Leo Knight had 6.5 grams of methamphetamine in his pocket.

As part of a negotiated plea, defendant pled no contest to possessing methamphetamine (Health & Saf. Code, § 11377, subd. (a)) and admitted a strike (Pen. Code, §§ 667, subds. (b)-(i), 1170.12). A charge of possession for sale of cocaine was dismissed, a charge of possession for sale of methamphetamine was reduced to the simple possession count defendant admitted, and a second strike was dismissed.

Because of defendant's recidivism, the trial court sentenced him to prison for the upper term of three years, doubled to six years for the strike.

Defendant timely appealed.

We appointed counsel to represent defendant on appeal. In response to a letter by appellate counsel, the trial court amended the abstract of judgment to delete a fine that was mistakenly included on the abstract.

Appellate counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

RAYE, Acting P. J.

We concur:

BUTZ, J.

CANTIL-SAKAUYE, J.